

ENTERED

March 28, 2025

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Faith G.,	§	
	§	
	§	
<i>Plaintiff,</i>	§	
	§	Civil Action No. 4:24-cv-02933
v.	§	
	§	
Martin O'Malley, Commissioner of Social Security,	§	
	§	
	§	
<i>Defendant.</i>	§	

ORDER GRANTING FEES

On March 26, 2025, Plaintiff Faith G. filed an unopposed motion for attorneys' fees under the Equal Access to Justice Act after this case was remanded—at Defendant's request—to the Social Security Administration pursuant to the fourth sentence of 42 U.S.C. § 405(g).¹ Dkt. 29; *see also* Dkt. 26 (order granting motion to remand); Dkt. 27 (Mar. 20, 2025 final judgment).

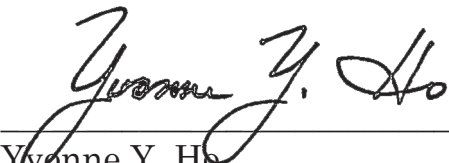
After reviewing the submission and the record, the Court concludes that Plaintiff is the prevailing party, the fee request is timely, the Administration's position was not substantially justified, and a fee award would not be unjust. In addition, the Court concludes that an upward adjustment of the default EAJA rate of \$175 per hour is warranted to account for the increased cost of

¹ Plaintiff also mistakenly docketed a motion for leave to file excess pages as her initial fee application. Dkt. 28. That incorrect filing is hereby **TERMINATED**.

living. Using the U.S. Bureau of Labor Statistics' Consumer Price Index for this region² results in an adjusted hourly rate of \$240.19 for work performed in 2024. *See Nash v. Colvin*, 2025 WL 871623, at *1-2 (S.D. Tex. Mar. 20, 2025) (detailing this calculation). Counsel's requested hourly rate of \$241.52 for work performed primarily in 2024 only slightly exceeds the local CPI-adjusted rate. *See* Dkt. 29 at 1. The number of hours sought (49.6), though higher than the typical range of 20 to 40 hours, *see Thomas H. v. Kijakazi*, 2023 WL 5191950, at *2 (S.D. Tex. Aug. 10, 2023) (noting this range), is nevertheless reasonable given the issues raised in the case. *See* Dkt. 21 (Plaintiff's motion for summary judgment). As a result, Plaintiff's requested fee of \$11,979.39 is reasonable.

It is therefore **ORDERED** that Plaintiff's motion for attorneys' fees (Dkt. 29) be **GRANTED**, and that she be awarded \$11,979.39 in fees. It is further **ORDERED** that Plaintiff's earlier mistaken filing (Dkt. 28) is **TERMINATED**.

Signed on March 28, 2025, at Houston, Texas.


 Yvonne Y. Ho
 United States Magistrate Judge

² The full CPI chart for the Houston-The Woodlands-Sugar Land, Texas area is available on the U.S. Bureau of Labor Statistics' website. *See Databases, Tables & Calculators by Subject*, U.S. Bureau of Lab. Stat., <https://perma.cc/83YX-2829>.